



The Town of Fenwick Island

800 Coastal Highway, Fenwick Island, DE 19944-4409
302-539-3011 ~ 302-539-1305 fax
www.fenwickisland.delaware.gov

SPECIAL MEETING OF THE TOWN COUNCIL JULY 17, 2019 AT 3:30 PM

MINUTES

In Attendance

Town Council Members:

Mayor Langan, Vice Mayor Mais, Treasurer Bunting, Secretary Merritt, Council Member Carmean, Council Member Lee, Council Member Williams

Staff in Attendance:

Town Manager Tieman, Building Official Schuchman, Public Works Manager Locke, Town Clerk Martin

Also in Attendance:

Spiro Buas (property owner of 1501 Coastal Highway), John Lewis (Project Manager from Harkins Concrete)

Mayor Langan began the meeting at 3:30 PM.

Request for a waiver to the construction time – 1501 Coastal Highway

Mr. Buas requested a waiver to the start time to begin at 7:00 AM to perform 3 concrete pours. Each pour will consist of 3 days of work with a total of 9 days being utilized for pouring of the concrete slabs.

The crane currently stationed at 1501 Coastal Highway will be moved after each pour. 300-400 cubic yards of concrete will be poured. For the pours, the concrete truck will set up on site starting at 6:30 AM, and the actual pouring of the concrete will not begin until 7:00 AM.

All proposed work will begin around July 23rd, with the final pour to be done in late September. A 5-day pause is needed between each pour. The proposed schedule is to begin on the south side, with the second pour also being conducted on the south side, and the final pour to be done on the north side.

Council Member Carmean questioned if there will be excessive noise during the pours. Mr. Lewis replied the only noise will be from the concrete truck spinning.

Council Member Carmean is concerned that work will be done on Saturday, which is a high-tourist day. Mr. Buas confirmed that all work will be done Monday-Friday.

Secretary Merritt requested that the adjoining neighbors be notified. Mr. Buas confirmed that Harkins Concrete will be placing hang tags on neighbors' doors at least 24 hours prior to let them know of the construction. Harkins Concrete will also have flaggers when the roads will be closed

off on Indian and James Streets. Town Manager Tieman added that the Town will place the schedule and any closures on the Town's website.

Council Member Williams asked if the concrete will be poured as far out as the existing scaffolding. Mr. Lewis replied no, that the existing scaffolding is just the work area.

Council Member Williams questioned if the reasoning for the request in the start time was due to a safety issue. Mr. Lewis replied no, that the timeline to pour beginning at 7:00 AM would allow the work to not go past 6:00 PM.

Council Member Williams then asked if doing the 3 separate pours is speeding up the process. Mr. Lewis responded that doing the 3 separate pours is actually taking longer, but it is necessary so the concrete does not harden too fast.

A MOTION was made by Council Member Carmean, seconded by Council Member Lee, to approve the request for all 3 concrete slab pours as stated on the informational sheet, provided that proper notification is given to adjoining neighbors. The MOTION passed 6-0, with Council Member Williams abstaining.

Adjournment

A MOTION was made by Council Member Carmean, seconded by Secretary Merritt, to adjourn the meeting. The MOTION passed unanimously, and the meeting adjourned at 3:45 PM.



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SPECIAL MEETING OF THE TOWN COUNCIL JULY 26, 2019 AT 2:30 PM

MINUTES

In Attendance

Town Council Members:

Mayor Langan, Vice Mayor Mais, Treasurer Bunting, Secretary Merritt, Council Member Carmean, Council Member Lee, Council Member Williams

Staff in Attendance:

Town Manager Tieman, Building Official Schuchman, Town Clerk Martin

Also in Attendance:

Fred Pearson (Pearson's Appraisal Services)

Mayor Langan began the meeting at 2:30 PM.

711 Bunting Avenue

Christine Keisling, the owner of 711 Bunting Avenue, provided two opinion letters, one from Charles Zonko and the other from John F. Kleinstuber. Per the letters, it is stating that there is a 20% loss in property value.

Mr. Pearson noted that he again reviewed the property and did not think the handicap ramp changed the property value. He spoke to John Kleinstuber who commented that he did not see the ramp enhancing the value of the property and also spoke to Chris at Sussex County who commented that on similar situations that Sussex County never adjusted taxes.

Ms. Keisling commented that she was told by Charles Zonko that the handicap ramp is comparable to a water tower or boardwalk in front of the property.

Ms. Keisling asked if Mr. Pearson has ever been inside her home to look at the handicap ramp. Mr. Pearson replied that he has never had the opportunity.

713 Bunting Avenue

One of the owners of 713 Bunting Avenue, Debbie Lundy, added to the comments presented by Ms. Keisling by stating that the letters from John Kleinstuber and Charles Zonko are "telling" and there is nothing comparable in Town. The handicap ramp absolutely devalues the property since it is like having a boardwalk in front of the home.

4 W. Houston Street

Town Manager Tieman noted that Gary Hunter, one of the owners of 4 W. Houston Street, submitted an appraisal he had done in 2018.

Mr. Pearson reviewed the appraisal and noted that one of the comparables in the appraisal was from South Bethany Beach.

Discussion

711 Bunting Avenue

Council Member Williams questioned if DNREC has determined if the ramp will be moved. Ms. Keisling replied that she has not heard from Mike Powell from DNREC since the meeting in May. She added that if the ramp is moved, that any adjustment given today can be taken away.

Due to the property being diminished, Council Member Lee made a motion to readjust the property value. Council Member Carmean seconded the motion.

Secretary Merritt questioned how to determine a decrease in value. Mr. Pearson replied that John Kleinstuber stated that it could be at least a 5% decrease, but John Kleinstuber also added that some would not have a problem with a handicap ramp being by their property while others would have a problem.

Council Member Carmean commented that she is sorry to see what DNREC has done but noted that any view of public land is never protected. Ms. Keisling replied that the handicap ramp is a permanent structure that is obstructing her view.

Council Member Williams noted that the handicap ramp was changed from what was previous and feels that an adjustment should be given.

Council Member Carmean amended the original motion to readjust the property at 711 Bunting Avenue by 5%. The motion was seconded by Secretary Merritt, and the motion passed unanimously.

Treasurer Bunting confirmed that the tax value would go back up if the ramp is moved.

713 Bunting Avenue

A motion was made by Council Member Lee, seconded by Secretary Merritt, to readjust the property at 713 Bunting Avenue by 5%. The motion passed unanimously.

Council Member Carmean confirmed that the tax value would go back up to the original quote if the ramp is moved.

4 W. Houston Street

Secretary Merritt commented that if the property is adjusted per the 2018 appraisal provided by the owner, it would only result in about a \$20 difference in taxes.

A motion was made by Treasurer Bunting, seconded by Secretary Merritt, to stay with the assessment given by Pearson's Appraisal Services. The motion passed unanimously.

Adjournment

A MOTION was made by Secretary Merritt, seconded by Vice Mayor Mais, to adjourn the meeting. The MOTION passed unanimously, and the meeting adjourned at 2:52 PM.



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REGULAR MEETING OF THE TOWN COUNCIL JULY 26, 2019

MINUTES

In Attendance

Town Council Members:

Mayor Langan, Vice Mayor Mais, Treasurer Bunting, Secretary Merritt, Council Member Carmean, Council Member Lee, Council Member Williams

Staff in Attendance:

Town Manager Tieman, Building Official Schuchman, Lieutenant Devlin, Public Works Manager Locke, Beach Patrol Captain Rykaczewski, Finance Manager Gary, Town Clerk Martin

Mayor Langan began the meeting at 3:30 PM.

President's Report

At the ACT (Association of Coastal Towns) Meeting on July 19th, ACT began establishing goals for next year. Back bay flooding is one of the priorities discussed.

Mayor Langan warned about the dangers of the heat and urged everyone to be careful.

He appreciates residents taking down their trees that are affected with the pine wilt disease.

For Discussion and Possible Action

Town Hall Phone System

Town Manager Tieman noted that the current phone system is from 1995. The person who maintained the system recently retired. She added that after review she believes that the Comcast Business Edge system is best suitable due to low maintenance. The monthly cost for the system is \$274.28.

A MOTION was made by Council Member Carmean, seconded by Secretary Merritt, to approve the new phone system for Town Hall. The MOTION passed unanimously.

Sale and Purchase of Assets

Town Manager Tieman reported that the current dump truck is oversized. The current Bobcat has wheels while tracks are preferred to go onto the beach.

A MOTION was made by Council Member Carmean, seconded by Secretary Merritt, for the Town to proceed with the sale of the dump truck and Bobcat. The MOTION passed unanimously.

For the purchase of replacements, Council Member Williams is concerned about the money to be spent. Town Manager Tieman commented that no more than \$14,000 will be transferred from RTT.

Council Member Carmean commented that she is concerned about taking money from RTT since it is a tight budget year. She has no problems in selling the truck and Bobcat, but she does have a problem with purchasing a Bobcat since the Town has never complained about the wheels instead of tracks on the current Bobcat. She feels that we should buy the dump truck but hold off on purchasing the Bobcat and instead just rent when needed. Town Manager Tieman replied that the Bobcat is used frequently for other projects and is critical to go over the dunes. Town Manager Tieman added that the \$14,000 can be taken out of the Municipal Street Aid (MSA) instead of the RTT.

A MOTION was made by Council Member Carmean, seconded by Secretary Merritt, to approve the purchase of a new dump truck and Bobcat using \$14,000 from MSA. The MOTION passed unanimously.

Approval of Minutes

A MOTION was made by Treasurer Bunting, seconded by Council Member Carmean, to accept the minutes from the June 17, 2019 Special Council Meeting. The MOTION passed unanimously.

A MOTION was made by Council Member Carmean, seconded by Vice Mayor Mais, to accept the minutes from the June 19, 2019 Special Council Meeting. The MOTION passed unanimously.

A MOTION was made by Vice Mayor Mais, seconded by Council Member Carmean, to accept the minutes from the June 28, 2019 Special Council Meeting.

Council Member Carmean noted a change to paragraph 2 of the 713 Bunting Avenue discussion.

The MOTION to accept the minutes as revised passed unanimously.

A MOTION was made by Vice Mayor Mais, seconded by Treasurer Bunting, to accept the minutes from the June 28, 2019 Regular Council Meeting. The MOTION passed unanimously.

Treasurer's Report

Treasurer Bunting presented the report for period ending June 30, 2019. The Town received an additional \$43,000 in RTT funds. Also, all outstanding taxes have now been collected.

A MOTION was made by Council Member Carmean, seconded by Vice Mayor Mais, to accept the Treasurer's Report. The MOTION passed unanimously.

Town Manager's Report

Town Manager Tieman submitted her report.

Department Reports

Building

Building Official Schuchman submitted her report. In addition to her report, 12 business licenses were issued in June.

Public Works

Public Works Manager Locke submitted his report.

Vice Mayor Mais questioned about the damage to the streets due to the microsurfacing. Town Manager Tieman replied that she met with Kercher Engineering who have contacted Asphalt Paving Systems. If Kercher Engineering receives no response, she will send out a formal letter to Asphalt Paving Systems next week. The T2 Center (from the University of Delaware) also walked the Town and gave their opinion on the microsurfacing. Mayor Langan added that the Town has a 100% security bond on the project.

Beach Patrol

Beach Patrol Captain Rykaczewski submitted his report.

Mayor Langan commented that he is glad to read in the report about the medical training that was provided to the lifeguards.

Council Member Carmean asked how many junior lifeguard participants there have been this year. Beach Patrol Captain Rykaczewski responded around 10-15 per session.

Council Member Lee wanted to confirm the phone number for transports. Beach Patrol Captain Rykaczewski responded that there is only one phone number available for transports now (302-462-6942). A message has been put on the other phone (302-462-6949) to contact the other number for transports.

Council Member Lee questioned on who can be contacted for the State Beach area so that our beach rules apply to them as well. Beach Patrol Captain Rykaczewski replied that the beach rules are being enforced throughout the guarded areas.

Council Member Williams asked if the beach patrol transports to the State Beach area and if it is just for individuals or the entire family, including any beach supplies. Beach Patrol Captain Rykaczewski responded that transports include the State Beach area and as a courtesy, the transports include all family members along with any supplies that the family has.

Police Department

Lieutenant Devlin submitted the Police Department Report.

Council Member Lee asked if the same yield signs that Bethany Beach has installed at their crosswalks can be purchased for the Town. Town Manager Tieman replied that she has already spoken to Chief Boyden and he is pursuing purchasing the signs.

Committee Reports

Beach

Nancy Merritt reported that \$6,014 was collected from the Town Bonfire. She thanked Public Works and the Beach Patrol for their assistance during the Bonfire.

Business Development

No report.

Dredging

Secretary Merritt commented that Town Manager Tieman is drafting a memo of understanding to the Freeman Foundation. The proposals are being reviewed and should be ready for Council approval in the next few months. The goal is to begin dredging in January 2020.

Council Member Williams asked how long it will take to dredge the bay. Secretary Merritt replied 10-12 days.

Environmental

Mary Ellen Langan reported that the next meeting will be held on August 1st.

Finance

Council Member Carmean questioned when the next meeting will be held since at the last Budget Committee Meeting it was discussed to have the Finance Committee meet on increasing the yields in the Town's savings accounts and CD's.

The Council agreed to have an upcoming Finance Committee Meeting to discuss the savings accounts and CD's.

Pedestrian Safety

Council Member Carmean reported that the Town has acquired \$250,000 for the sidewalk project. The Town will be working with Kercher Engineering to come up with plans for the project. The Committee will be meeting sometime in August.

Council Member Carmean also urged everyone to be careful when walking along the highway, especially since there was another pedestrian hit last week.

Planning

Vice Mayor Mais reported that the Comprehensive Plan Annual Report has been submitted.

Technology

Mayor Langan highlighted that the Town has 867 Twitter followers, 4,832 Facebook page likes, and 490 Instagram followers.

The website had 34,882 unique visitors over the last year. For June alone, there were 3,736 users to the website, with 76.82% being new visitors.

A total of 492 transactions have been processed through ParkMobile since it's go live date on May 24th.

Charter & Ordinance

No report.

Ad Hoc Commercial District Planning

Richard Mais reported that the Committee has met several times. Jeff Schoellkopf has provided a lot of good ideas, but the Committee is nowhere near on making any decisions at this time.

Old Business

Council Member Lee questioned if DNREC has gotten back to the Town about the Lighthouse Cove Marina project. Town Manager Tieman replied that she has heard nothing from DNREC.

Council Member Lee questioned if the Town Solicitor has returned her opinion in regards to Chapter 24-6 of the Town Code that states that after a 1st reading the ordinance must be referred back to the Charter & Ordinance Committee prior to the final approval. Town Manager Tieman responded that the Town Solicitor reviewed and found a few but for the most part all are okay.

New Business

Council Member Lee commented about several electrical wires that are close to or being obstructed by trees. She would like Delmarva Power to remove the trees from around the wires or have the Charter & Ordinance Committee draft an ordinance to have residents trim trees that are close to the wires. Town Manager Tieman replied that she will contact Delmarva Power to check the Town again but added the some of the lower lines belong to Verizon.

Council Member Williams questioned when the concrete pours will begin at The Sands. Town Manager Tieman responded that the Town has not received any notification from the contractor on their schedule.

Upcoming Events and Meetings

Mayor Langan confirmed the upcoming events and meetings as stated on the agenda.

Public Participation

Mike Quinn, 5 W. Houston Street

Mr. Quinn commented that the lifeguard chairs seem further apart this year. Beach Patrol Captain Rykaczewski replied that they are the same distance apart and the same amount of chairs as last year (12 chairs).

Mr. Quinn asked if at the new hotel will there be enough room for a sidewalk. Council Member Carmean replied yes, that the hotel is required to put the sidewalk in, and it will have to meet all ADA and DelDOT requirements.

Jackie Napolitano, 2 E. James Street

Ms. Napolitano asked why speeding was allowed in Town during the hot rod week in June. Lieutenant Devlin responded that no speeding occurred in Town limits, but they cannot enforce any noise or speeding north of Town.

Bill Mould, 1 E. Indian Street

Mr. Mould read in the Dispatch about the Town Council granting The Sands extended working hours. Mayor Langan replied that the Council did approve their hours to begin at 7:00 AM for 3 concrete pours over 9 days.

Buzz Henifin, 48 Windward Way

Mr. Henifin questioned what is being done about POD's, since two POD's were just removed across the street from him that were there since November. Building Official Schuchman stated that POD's now require a temporary permit that allows them to be placed for no more than 6 months. The permit cost is \$50.

Faye Horner, 708 Bunting Avenue

Ms. Horner questioned why everyone needs to know about the concrete pours at The Sands. Council Member Carmean replied since the start time has been granted to begin at 7:00 AM and the contractor stated he would notify neighboring properties.

Adjournment

A MOTION was made by Treasurer Bunting, seconded by Secretary Merritt, to adjourn the meeting. The MOTION passed unanimously and the meeting adjourned at 4:31 PM.



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SPECIAL MEETING OF THE TOWN COUNCIL AUGUST 2, 2019 AT 3:30 PM

MINUTES

In Attendance

Town Council Members:

Mayor Langan, Vice Mayor Mais, Treasurer Bunting, Secretary Merritt, Council Member Carmean, Council Member Lee, Council Member Williams

Staff in Attendance:

Town Manager Tieman, Town Clerk Martin

Also in Attendance:

Audrey Serio

Mayor Langan began the meeting at 3:30 PM.

Announcement of Alternate Inspector for the Board of Elections

Mayor Langan nominated Carl McWilliams as an alternate inspector to the Board of Elections.

A MOTION was made by Treasurer Bunting, seconded by Council Member Carmean, to approve Carl McWilliams as an alternate inspector to the Board of Elections. The MOTION passed unanimously.

Council Member Carmean commented that the Board of Elections should be expanded to 1-2 alternates. Audrey Serio noted that the Charter would need to be changed if additional members are added to the Board of Elections.

Adjournment

A MOTION was made by Council Member Carmean, seconded by Secretary Merritt, to adjourn the meeting. The MOTION passed unanimously, and the meeting adjourned at 2:33 PM.



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SPECIAL MEETING OF THE TOWN COUNCIL AUGUST 12, 2019 AT 1:00 PM

MINUTES

In Attendance

Town Council Members:

Mayor Langan, Vice Mayor Mais, Treasurer Bunting, Secretary Merritt, Council Member Carmean, Council Member Houser, Council Member Weistling

Staff in Attendance:

Town Manager Tieman, Building Official Schuchman, Town Clerk Martin

Swearing in of Council Members

Gene Langan, Richard Mais, Mike Houser, and Bill Weistling took the Oath of Office as administered by Secretary Merritt.

Election of Officers

President

A MOTION was made by Vice Mayor Mais, seconded by Secretary Merritt, to nominate Gene Langan as President. The MOTION passed unanimously and Gene Langan was elected President.

Vice President

A MOTION was made by Council Member Weistling, seconded by Council Member Houser, to nominate Richard Mais as Vice President. The MOTION passed unanimously and Richard Mais was elected Vice President.

Treasurer

A MOTION was made by Vice Mayor Mais, seconded by Council Member Carmean, to nominate Gardner Bunting as Treasurer. The MOTION passed unanimously and Gardner Bunting was elected Treasurer.

Secretary

A MOTION was made by Council Member Weistling, seconded by Council Member Houser, to nominate Bernie Merritt as Secretary. The MOTION passed unanimously and Bernie Merritt was elected Secretary.

Adjournment

A MOTION was made by Vice Mayor Mais, seconded by Secretary Merritt, to adjourn the meeting. The MOTION passed unanimously, and the meeting adjourned at 1:03 PM.